

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KATHLEEN HANNI,
Plaintiff,

No. C-08-00732 CW (EDL)

v.

**ORDER DENYING MOTION TO
SHORTEN TIME**

AMERICAN AIRLINES, INC.,
Defendant.

Defendant American Airlines filed a motion to shorten time on their motion for sanctions for Plaintiffs' failure to comply with this Court's March 31, 2009 discovery order ("March 31 Order"). Good cause not having been shown, the Court denies the motion to shorten time. While Defendant notes the upcoming class certification discovery deadline, the Court has already ordered that the discovery at issue be produced and expects the parties to comply forthwith. While the Court has denied shortened time, it takes very seriously the assertions in Defendant's underlying motion that Plaintiffs have failed to comply with the March 31 Order.


It is further ordered that the parties meet and confer at length either in person or over the telephone regarding the issues raised in Defendant's motion for sanctions. Defendant has acknowledged its compliance with this Court's protective order, and Plaintiffs shall not use the protective order as an excuse to withhold production. Plaintiffs are reminded of their obligation to produce complete and full disclosures, responsive documents, and interrogatory responses, along with a privilege log. As this Court has already noted, Plaintiffs have waived all objections other than those based on privilege. In addition, if Ms. Hanni did not produce complete copies of her medical records to Defendant by April 3, 2009, as noted in the March 31 Order, Defendant may enforce its subpoenas to her medical providers. Defendant is also reminded of its discovery

1 obligations set forth in paragraph 4 of the March 31 Order.

2 The Court is dismayed at one if not both of the parties' apparent inability to comply with this
3 Court's orders after the lengthy hearing, during which the Court gave the parties a great deal of
4 guidance and instructions on their multiple discovery motions. Plaintiffs state that they intend to file
5 their own motion for sanctions and motion to compel. Plaintiffs are reminded of their obligation
6 under Local Rule 1(n) requiring the parties to communicate directly and discuss in good faith the
7 issues they intend to raise in any motions. This meet and confer process can only be satisfied
8 through direct dialogue and discussion.

9 **IT IS SO ORDERED.**

10 Dated: April 10, 2009

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12 ELIZABETH D. LAPORTE
13 United States Magistrate Judge
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